REMARKS

Claims 1-45 were pending in this application and have been canceled by this preliminary amendment and replaced by new claims 46-49. No new matter has been added by these amendments. Applicants are respectfully requesting reconsideration of the restriction requirement in view of the following remarks.

Claims 16-21 have been objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claims. As claim 10 is drawn to the use of PACAP and claims 16-21 are drawn to the use of PACAP and a PACAP agonist, it is suggested that claims 16-21 are improperly dependent upon claim 10. Applicants have canceled claims 16-21 and therefore respectfully request that this objection be withdrawn.

The originally filed claims have been subjected to a Restriction Requirement under 35 U.S.C. §121 by the Examiner in this case. The Examiner suggests that restriction of the present invention into the following groups is required:

Group I, claims 1-6 and 39-45, drawn to methods of proliferating neuronal precursor cells by administering $PACAP_{6-38}$;

Group II, claims 1-4, 7, 8, and 39-45, drawn to methods of proliferating neuronal precursor cells by administering max d 4;

Group III, claims 1-4, 9, and 39-45, drawn to methods of proliferating neuronal precursor cells by administering a non-metabolizable antagonist;

Group IV, claims 10-13, 15, 22-25, and 33-38, drawn to methods of inhibiting proliferation of neuronal precursor cells by administering PACAP;

Group V, claims 14, 16 and 17, drawn to methods of inhibiting proliferation of neuronal precursor cells by administering PACAP and maxadilan;

Group VI, claims 14, 18 and 19, drawn to methods of inhibiting proliferation of neuronal precursor cells by administering PACAP and $PACAP_{27}$;

Group VII, claims 14, 20 and 21, drawn to methods of inhibiting proliferation of neuronal precursor cells by administering PACAP and VIP;

Group VIII, claims 26-29 and 39-45, drawn to methods of promoting proliferation of neuronal precursor cells by administering oligonucleotides; and

Group IX, claims 30-32 and 39-45, drawn to methods of promoting proliferation of neuronal precursor cells by administering antibodies.

The Examiner suggests that the inventions listed as Groups I, II, and III are unrelated because the methods of Invention I require different starting material from the methods of Inventions II and III. Likewise, it is suggested that Inventions I-III are not related to Inventions IV-VII because the methods have different starting materials, steps and goals. The Examiner further suggests that Inventions I-VII and IX are distinct and independent from Invention VIII because Invention VIII is drawn to methods of genetic therapy which are unrelated to any other Invention. Applicants are required to elect one of the Groups to be examined. Applicants respectfully request reconsideration of this restriction requirement.

Applicants thank the Examiner for the telephone conference regarding the claims pending in this application. As discussed,

the present invention relates to methods for modulating PACAP and the PACAP receptor for controlling neuronal precursor cell growth. Upon review of the restriction requirement and pending claims, Applicants have appreciated the necessity of clarifying the instant invention to facilitate the search for the relevant prior art pertaining to PACAP and its receptor and their association with neuronal cell precursor cell proliferation. Accordingly, Applicants are canceling claims 1-45 and is presenting new claims 46-49 for consideration and prosecution in the instant application. Support for claim 46 can be found in claims 1-25 and paragraph 0019 which disclose the use of PAC_1 ligands such as PACAP, PAC_1 antagonists, and PAC_1 agonists to modulate the growth of neuronal precursor cells. Support for claim 47 can be found in claims 26-32 and paragraphs 0022 and 0028 which teach increasing neuronal precursor cell proliferation by decreasing the expression or amount of PACAP by using oligonucleotides or antibodies to PACAP. Support for claims 48 and 49 can be found in claims 33-44 and 45, respectively. Thus, in view of this amendment, Applicants believe that the restriction requirement is moot. If the Examiner wishes to discuss this amendment, Applicants invite the Examiner to call Applicants' representative at the number provided below.

Respectfully submitted,

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Date: **November 22, 2004**

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